NOTICE OF TYPE II DEVELOPMENT REVIEW APPLICATION AND OPTIONAL SEPA DETERMINATION OF NON-SIGNIFICANCE



(Form DS1301A)

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) — Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments: September 26, 2009

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

Date of this notice: September 11, 2009

Project Name:

BRAINARD SHORT PLAT

Case Number:

PLD2009-00034; SEP2009-00059; EVR2009-00027;

EVR2009-00028

Location:

South of the terminus of NE 216th Avenue (Private) and east of NE 371st Street (Private); Tax Lot 37, located in the NE ¼ of Section 29, Township 5 North, Range 3 East, of the Willamette Meridian.

Request:

The applicant is requesting to short plat 20.01 acres into 2

single-family residential lots located in the R-10 zone district.

Applicant:

Brad Brainard

5838 SE Tikki Court Milwaukie, OR 97267

(503) 786-9403; E-mail: brad brainard@msn.com

Contact Person:

Travis Johnson

1014 Franklin Street, Atrium Suite

Vancouver, WA 98660

(360) 944-6519; (360) 944-6539 fax E-mail: travis@plsengineering.com

Property Owner:

Same as applicant

Zoning:

R-10

Comp Plan Designation:

R-10

Parcel Number(s):

278175-000

Township: 5N

Range: 3E

1/4 of Section: NE 1/4 of Sec 29

Applicable Laws:

Clark County Code (CCC) Chapter: 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.540.030 (Short Plat), 40.610 (Impact Fees), 40.210.020 (Rural Districts, R-5), 40.500 (Procedure), RCW 58.17 (State Platting Laws)

Neighborhood Contact:

No Mapping Indicators
Neighborhood Advisory Committee of Clark County (NACCC)
Art Stubbs, Vice Chair (mailing contact for NACCC)
6804 NE 86 Court
Vancouver, WA 98662
891-5685

E-mail: sixsplus8@aol.com

Staff Contact Person:

Planner Name, Michael Uduk (360) 397-2375, ext. 4385

E-mail: michael.uduk@clark.wa.gov

Team Leader Name: Travis Goddard (360) 397-2375, ext. 4180

Please email SEPA comments to: michael.uduk@clark.wa.gov

Responsible Official: Michael V. Butts, Development Services Manager

Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box

9810, Vancouver, WA 98666-9810

Application Filing date: June 30, 2009
Fully Complete Date: September 1, 2009

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- MDNS = Mitigated Determination of Non-Significance (The impacts can be mitigated through conditions of approval); or,
- DNS = Determination of Non-Significance (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Appeal Process:

The responsible official's decision on the application may be appealed to the County Hearings Examiner by the applicant or any person or group that qualifies as a "Part of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Note: If an accurate mailing address for those submitting comment is <u>not</u> included, they will <u>not</u> qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

SEPA Appeals:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions): (http://www.clark.wa.gov/commdev/active-landuseN.html)
- Pre-Application Conferences and Public Land Use Hearing Agendas: (http://www.clark.wa.gov/commdev/agendasN.asp)
- Applications and Information Handouts for each Type of Land Use Permit: (http://www.clark.wa.gov/commdev/applicationsN.html) (Landuse)

Phone: (360) 397-2375; Fax: (360) 397-2011 Web Page at: http://www.clark.wa.gov

Attachments:

- Proposed project site/land division plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:

U.S. Army Corps of Engineers - Enforcement Division

Tribes:

Cowlitz Indian Tribe Yakama Nation Chinook Tribe

State Agencies:

Department of Natural Resources (S.W. Region)

Department of Ecology

Department of Fish and Wildlife Department of Transportation

Regional Agencies:

Fort Vancouver Regional Library Southwest Clean Air Agency Vancouver-Clark Parks & Recreation

Local Agencies:

Clark County Department of Community Development

Development Services Development Engineering Fire Marshal's Office Clark County Health Department

Clark County Public Works Transportation Division

Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation

Special Purpose Agencies:

Fire Protection District # 10

Clark Public Utilities

Clark Regional Wastewater District/City of Vancouver Water/Sewer

The Media

The Columbian The Oregonian The Reflector

Vancouver Business Journal

The Post Record

Other:

Applicant

Clark County Neighbors

Clark County Natural Resources Council

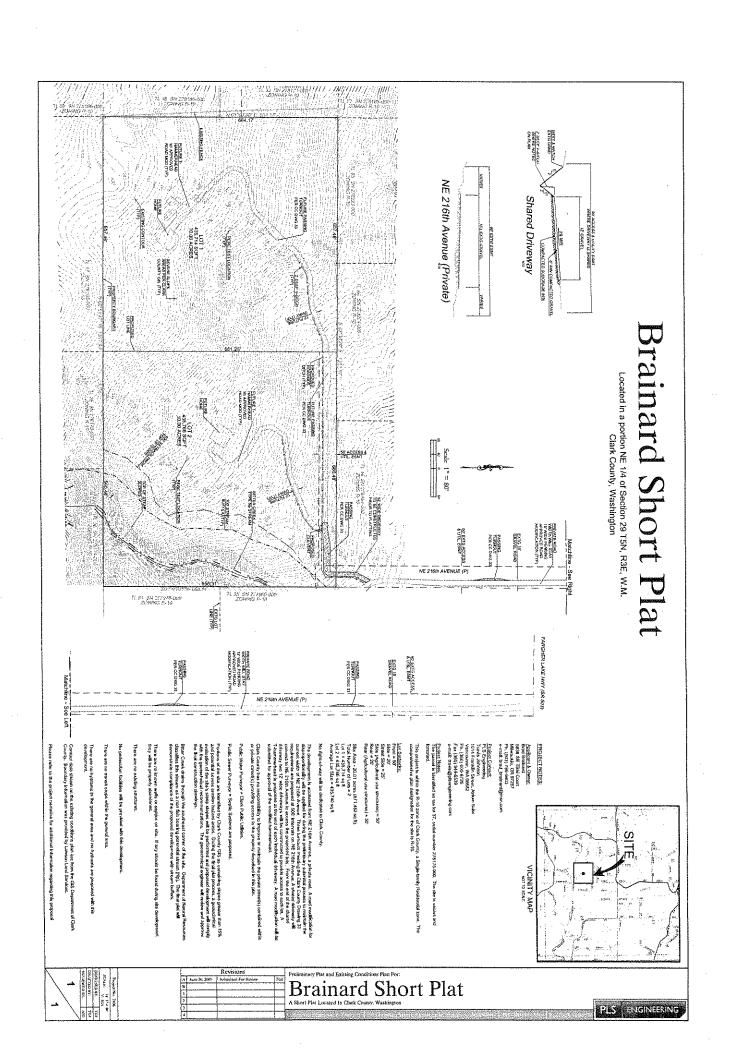
Clark County Citizens United

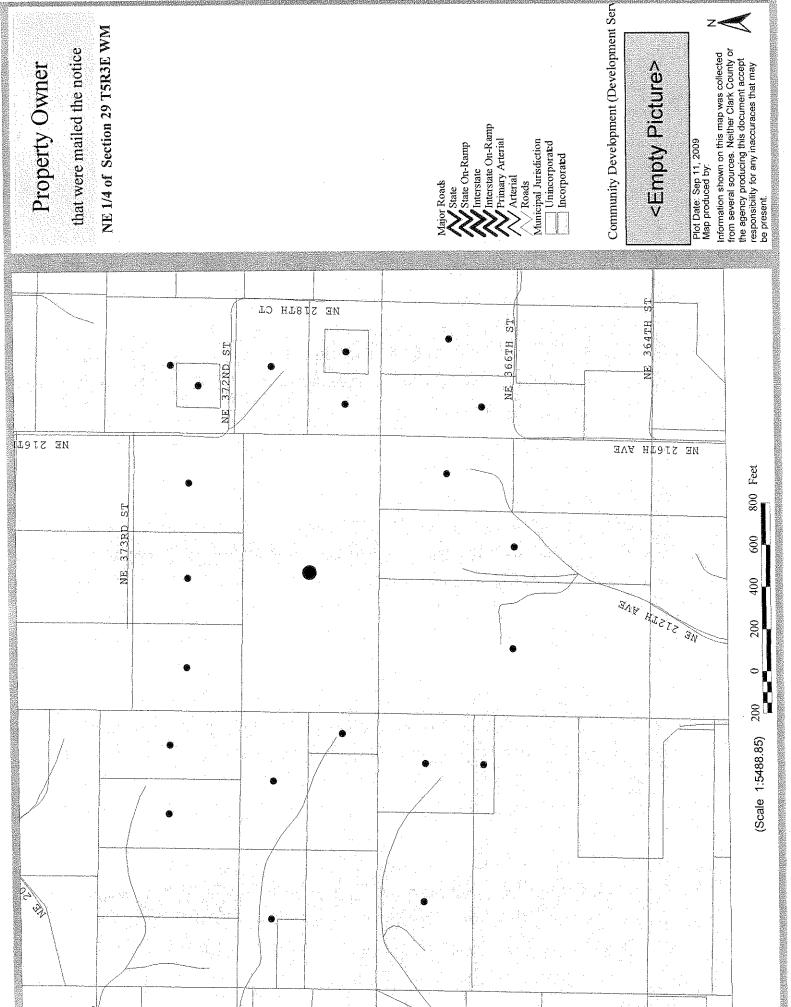
C-Tran

Neighborhood Association

Add Attachment for Agencies:

SEPA checklist





Property Owner

Clark County SEPA Environmental Checklist

Washington Administrative Code (WAC) 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal and to help the agency decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the Clark County Customer Service Center for assistance.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the **SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS** (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. Background

1. Name of proposed project, if applicable:

Brainard Short Plat

2. Name of applicant:

Brad Brainard

3. Address and phone number of applicant and contact person:

Applicant: Brad Brainard 5838 SE Tikki Court Milwaukle, OR 97267 (503)-786-9403

Contact: PLS Engineering Travis Johnson 1014 Franklin Street, Atrium Suite Vancouver, WA 98660 360-944-6519, fax 360-944-6539

4. Date checklist prepared:

6/24/09

5. Agency requesting checklist:

Clark County Department of Community Development

6. Proposed timing or schedule (including phasing, if applicable):

As soon as all applicable permits are granted.

7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain.

No, not at this time.

8. List any environmental information that has been or will be prepared related to this proposal.

SEPA checklist & Archaeological predetermination

9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.

None known

- 10. List any government approvals or permits needed for your proposal:
 - o Preliminary Short Plat review by Clark County Community Development
 - Public notification and staff report publications
 - Administrative Staff Report and Decision
 - o Final engineering plan and final plat review and approval
 - o Clark County Health District review and approval of the final plat
 - o Final construction approval and final plat recording
- 11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The site is identified as tax lot 37 parcel number 278175-000 per Clark County assessor records. The overall site acreage is approximately 20.01 acres. The applicant is proposing a 2 lot rural short plat complying with Clark County codes. Please refer to the preliminary plat showing compliance.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

Clark County GIS information identifies the parcels as being located in the Northeast ½ of Section 29, Township 5 North, Range 3 East of the Willamette Meridian. Tax Lot Number 37, Parcel Number 278175-000, Clark County, Washington.

B. Environmental Elements

1. Earth

Agency Use only

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____.
- b. What is the steepest slope on the site and the approximate percentage of the slope?

The steepest slope is approximately 65% per Clark County GIS contour information.

c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.

Cinebar Silt Loam (CnB) – 8% of site Cinebar Silt Loam (CnD) – 23% of site Cinebar Silt Loam (CnE) – 63% of site Cinebar Silt Loam (CnG) – 6% of site

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe.

None known

e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill.

There will be grading for the construction of driveways, the installation of utilities, and the preparation of lots for construction of future homes. Quantities are unknown at this time.

f. Could erosion occur as a result of clearing, construction, or use? If so, please describe.

Standard erosion control best management practices will be followed during all phases of construction on this site. A final erosion control plan will be reviewed and approved by Clark County prior to construction on this site. A copy of that final erosion control plan will be on file with the final short plat at the building department.

g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)?

Approximately 4% of the entire site.

h. Proposed measures to reduce or control erosion, or other impacts to the earth include:

Provide an erosion control plan for review and approval prior to starting construction on the site.

Follow the conditions of the approved drainage and erosion control plan during all phases of construction on the site.

2. Air

a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities.

Construction equipment emissions and dust on the short term. Long-term emissions will be produced by automobile traffic and normal household activities, possibly including wood burning stoves and fireplaces.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe.

None known

c. Proposed measures to reduce or control emissions or other impacts to air:

Dust from construction can be mitigated by sprinkling the site with water during construction as needed.

3. Water

a. Surface:

 Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into. Bitter Creek, a Type Np Stream, is located in the southeast corner of the site.

2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans.

There is a 100 foot buffer on Bitter Creek so no work will be done within 100 feet of this stream. Grading for individual homes and driveways may occur within 100 feet of the creek.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities:

No

5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

 Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

Yes, each building site will have an individual domestic well for water supply.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve.

Two septic systems are proposed on the site to serve future homes.

- c. Water runoff (including stormwater):
- Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

There will be stormwater runoff produced from future homes and driveways. Stormwater runoff will be dispersed across the existing vegetation to provide for water quality and quantity control. No collection or redirection of stormwater or groundwater flows are proposed. Use of natural existing topographical flow paths will be utilized.

2) Could waste materials enter ground or surface waters? If so, please describe.

Yes, if waste materials were somehow released or dumped into surface runoff flows, substances associated with the source material could enter ground or other surface waters.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Use of approved erosion control measures during all phases of development.

- a. Check or circle types of vegetation found on the site:
 - Deciduous tree: <u>alder</u>, Oregon ash, cascara other: <u>other big leaf</u>
 maple
 - Evergreen tree: <u>Douglas-fir, cedar,</u> sequoia, pine
 - Shrubs: Red plum, azaleas, rhododendron, <u>blackberries</u>, ornamental landscape
 - . Grass:
 - Pasture
 - Crop or grain:
 - . Wet soil plants:
 - Water plants:
 - Other types of vegetation: Vine Maple, Salmon Berry, Oregon Grape, Red Huckleberry, Oceanspray, Sword Fern
- b. What kind and amount of vegetation will be removed or altered?

Approximately 7% of the site will be disturbed with this development.

c. List threatened or endangered species on or near the site.

None known

d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:

Individual homeowners will landscape their yards as the project develops and homes are occupied.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
 - Birds: <u>hawk</u>, heron, eagle, <u>songbirds</u>, <u>other; local birds</u> <u>are observed on the site and in the area.</u>
 - Mammals: deer, bear, elk, beaver, other; and,
 There are small mammals, such as mice, voles, and
 rabbits located on and near the site. This site is also in
 an area where larger mammals, such as raccoons,
 opossum, and mammals indigenous to the Clark
 County area are sometimes located.
 - Fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None known.

c. Is the site part of a migration route? If so, please explain.

The site is located within the Pacific Flyway for migratory waterfowl.

d. List proposed measures to preserve or enhance wildlife:

New homeowners will landscape individual lots as they develop their home sites. This will add some diversity to vegetation in the area for birds and small mammals.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The new homes on the site will be served primarily by electricity.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

It is not likely.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

None.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, please describe.

No.

1) Describe special emergency services that might be required.

None.

2) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable.

b. Noise

1) What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?

There is existing traffic noise from the surrounding roadways; however the noise will not affect the project.

2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site.

A slight increase in traffic noise over the long term may occur. In addition, construction noise would occur during the short term. These construction noises will occur during approved hours as mandated by Clark County and Washington State.

3) Proposed measures to reduce or control noise impacts:

Construction on the site will take place during normal working hours as allowed by the Clark County Noise Ordinance (CCC9.14)

8. Land and shoreline use

a. What is the current use of the site and adjacent properties?

The site is currently vacant. Adjacent parcels are developed as follows:

North: Single-family residences zoned R-10

East: Single-family residences zoned R-10 South: Single-family residences zoned R-10 West: Single-family residences zoned R-10

b. Has the site been used for agriculture? If so, please describe.

Not to the applicant's knowledge.

c. Describe any structures on the site.

There are no existing structures on-site.

d. Will any structures be demolished? If so, please describe.

Not applicable.

e. What is the current zoning classification of the site?

R-10

f. What is the current comprehensive plan designation of the site?

R-10

g. What is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

Yes, the stream and associated buffer in the southeast corner of the site.

i. How many people would reside or work in the completed project?

There will be 2 lots created with this development. At approximately 2.66 persons per household (per 1990 US Census) there would be a total of approximately 6 additional people residing within this development at the time of full buildout.

j. How many people would the completed project displace?

None.

k. Please list proposed measures to avoid or reduce displacement impacts:

The buildout of this project will provide new housing options.

I. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:

By complying with the zoning designation. the comprehensive plan, and the Clark County Development Code, the proposal will be compatible with the existing and projected land uses.

9. Housing

a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.

This project will provide lots for construction of single-family residential homes on 2 lots. Type of housing is unknown at this time.

b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.

None.

c. List proposed measures to reduce or control housing impacts:

The applicant will pay all impact fees associated with the development.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?

All new home construction will meet Clark County building codes for residential housing development and

not exceed height limits for the zone. Exterior building materials are unknown at this time.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. Proposed measures to reduce or control aesthetic impacts:

None.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

When homes are constructed on the proposed lots there will be light produced from house, yard and porch lights.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts:

None needed.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

None.

b. Would the project displace any existing recreational uses? If so, please describe.

No.

d. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:

None.

13. Historic and cultural preservation

a. Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe.

An archaeological predetermination was prepared by Archaeological Resources of Clark County which concluded that no further work was warranted at this time. This finding was supported by the State Department of Archaeology and Historic Preservation.

b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known

c. Proposed measures to reduce or control impacts:

If any historic archaeological materials are uncovered during construction on this site the appropriate agencies will be contacted and construction will be stopped until further investigation can be made. A note will be placed on the final short plat.

14. Transportation

a. Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

NE 216nd Avenue (private) will provide access via one shared connection for both lots 1 and 2. SR 503 (Fargher

Lake Highway) is located approximately 2,000 feet to the north at the north terminus of NE 216th Avenue.

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The site is currently not served by public transit. The nearest transit stop is approximately 10 miles from the site.

c. How many parking spaces would the completed project have? How many would the project eliminate?

There will be parking provided on each lot with future garages and driveways. This project will not eliminate any parking spaces.

d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.

Yes. Individual and shared driveways will need to be constructed to access the future homes. No improvements to existing public roadways are proposed.

e. Will the project use water, rail, or air transportation? If so, please describe.

No.

f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.

It is anticipated that 19 trips per day would be generated by the project. It is expected that 2 trips will occur in the AM peak hour (7:00 - 9:00 AM) and 2 trips will occur in the PM peak hour (4:00 - 6:00).

g. Proposed measures to reduce or control transportation impacts:

No measures are proposed to reduce or control transportation impacts.

a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

Yes. The completion of this development and the construction of new homes will increase the need for public services in the area.

b. Proposed measures to reduce or control direct impacts on public services:

This project will pay impact fees for schools and traffic at the time of building permit.

16. Utilities

a. Circle the utilities currently available at the site: <u>electricity</u>, natural gas, water, refuse service, <u>telephone</u>, sanitary sewer, <u>septic system</u>, other.

These utilities are either on the site or available to the site and will be extended to the future lots at the time of site development.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site:
 - o Electricity: Clark Public Utilities
 - Water: Private
 - o Telephone: Qwest, Comcast
 - Sanitary Sewer: Private

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: In Key Thus.

Date Submitted: 6/30/2009